IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.14095 of 2008
KARE MIAN @ KALI CHARAN @ KALIA @
MOKIMUDDIN @ MD.KARE MIAN
Versus

THE STATE OF BIHAR
- - - -

3. 29.7.2008 Heard.

A truck was hijacked and the police found the same standing in front of a Line Hotel. The petitioner and co-accused Raj Ballabh Yadav alias Ram Ballabh Yadav alias Ram Bali Yadav were very much found sitting in the driver's cabin of the truck and this is how the petitioner is in custody.

The contention is that the above noted accused Raj Ballabh Yadav alias Ram Ballabh Yadav alias Ram Bali Yadav has been granted bail and the petitioner is in custody since over two and a half years.

It is true that accused Raj Ballabh Yadav alias Ram Ballabh Yadav alias Ram Bali Yadav has been admitted to bail but considering the magnitude of the offence and the manner in which the truck was recovered from the conscious possession of the petitioner, I am not inclined to direct his release on bail.

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However, I would like to direct the Additional District and Sessions Judge 3rd, Naugachia, Bhagalpur, to ensure that Sessions Trial No. 365 of 2007 arising out of Bihpur P.S.Case No. 8 of 2006 is concluded in a period of one and half years.

With the above direction/observation, the petition is dismissed.

Kanth

(Dharnidhar Jha, J.)

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